

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 17-1444 (DSD/HB)

Leland Roland Nelson,

Petitioner,

v.

ORDER

Kathy Halvorson,

Respondent.

This matter is before the court upon the objections by pro se plaintiff Leland R. Nelson II to the October 16, 2018, report and recommendation of Magistrate Judge Hildy Bowbeer (R&R). The magistrate judge recommended that the court dismiss Nelson's petition under 28 U.S.C. § 2254 with prejudice. Nelson submitted objections that are not directly responsive to the R&R. Instead, Nelson challenges the sufficiency of the evidence underlying his conviction.

The court reviews the R&R de novo. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); D. Minn. L.R. 72.2(b). After a thorough review of the file and record, the court finds that the R&R is well-reasoned and correct. Nothing in Nelson's objections changes that determination.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The objections to the R&R [ECF No. 26] are overruled;
2. The R&R [ECF No. 23] is adopted in its entirety;
3. The action is dismissed with prejudice; and

4. A certificate of appealability is denied as unwarranted.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 4, 2018

s/David S. Doty
David S. Doty, Judge
United States District Court